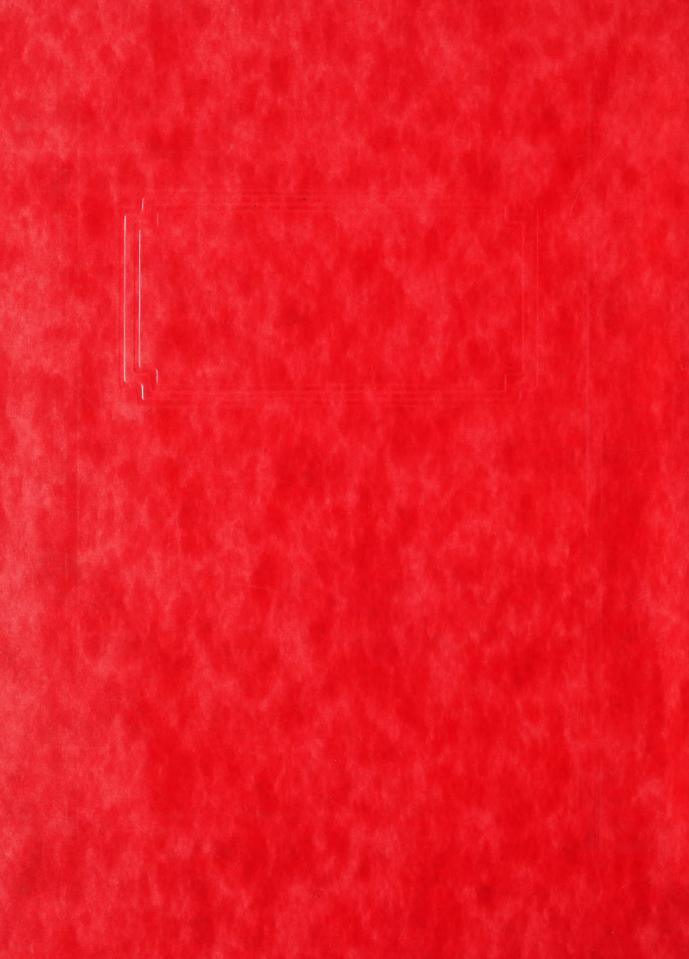
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APPENDIX "PRIV-4"

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WHITE PAPER ON REDISTRIBUTION

The Honourable Ray Hnatyshyn President of the Queen's Privy Council for Canada and Government House Leader



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WHITE PAPER ON REDISTRIBUTION

This paper sets out proposals for the reform and improvement of the formula whereby seats in the House of Commons are allocated among provinces. It also suggests improvements in the system whereby constituency boundaries are drawn within provinces.

Background

The redistribution of seats in the House of Commons operates in two stages. The first stage is governed by the rules set out in sections 51 and 52 of the Constitution Act, 1867. Those provisions specify the formula for determining the total number of seats in the House and for establishing how those seats are allocated among the provinces. The second stage of the process is provided for in the Electoral Boundaries Readjustment Act. It governs the drawing of constituency boundaries within individual provinces.

The redistribution exercise is triggered by the regular decennial census. First, a determination is made as to the number of seats to be allotted to each province. Electoral Boundaries Commissions are then appointed. They formulate constituency boundaries and then publish preliminary reports outlining their proposals. Public hearings are held. The final reports of the Commissions are tabled in the House of Commons so that the objections of Members of Parliament can be entertained and referred back to the Commissions for consideration.

Present Situation

The reports of the eleven Electoral

Boundaries Commissions established after the 1981

census were tabled in the House of Commons during the

last Parliament. Debate on the reports had commenced,

but had not finished, when the House was dissolved for

the general election. Consideration of the reports has

not yet been concluded.

Therefore, this is an appropriate and convenient time to consider possible improvements that could be made in the redistribution process.

Proposals

A) Constitution Act, 1867

The total number of seats in the House of Commons would increase to 310 after the next general election if the redistribution process were to be concluded using the existing rules. Application of the present formula in succeeding years would result in further major increases in the size of the House.

There would be 343 members by 1991 and 369 members by 2001.

These increases would carry with them several negative consequences. Significant amounts of funds would have to be allocated to cover the expanded costs of Members' salaries, travel and other expenses. The Administrator of the House of Commons estimates that increased direct costs alone could be in the range of \$90 million over the next decade if the House were increased to 310 Members. Table A sets out these costs. Also, the Chamber itself would have to be remodelled and new office space for Members would have to be created. It would be necessary to hire more support staff.



In addition, a significant increase in the number of Members in the House may well have an undesirable effect on the character of the House. Private Members would have relatively less opportunity to participate in debates and committee work. A sense of collegiality may be lost.

Finally, and most importantly, it is not clear that the electorate would be any better served by a larger House. More Members does not necessarily mean better representation.

A proposal for an improved formula for calculating the total number of seats in the House of Commons and their allocation among provinces is set out in the Draft Bill attached as Appendix A. It would accomplish three important goals:

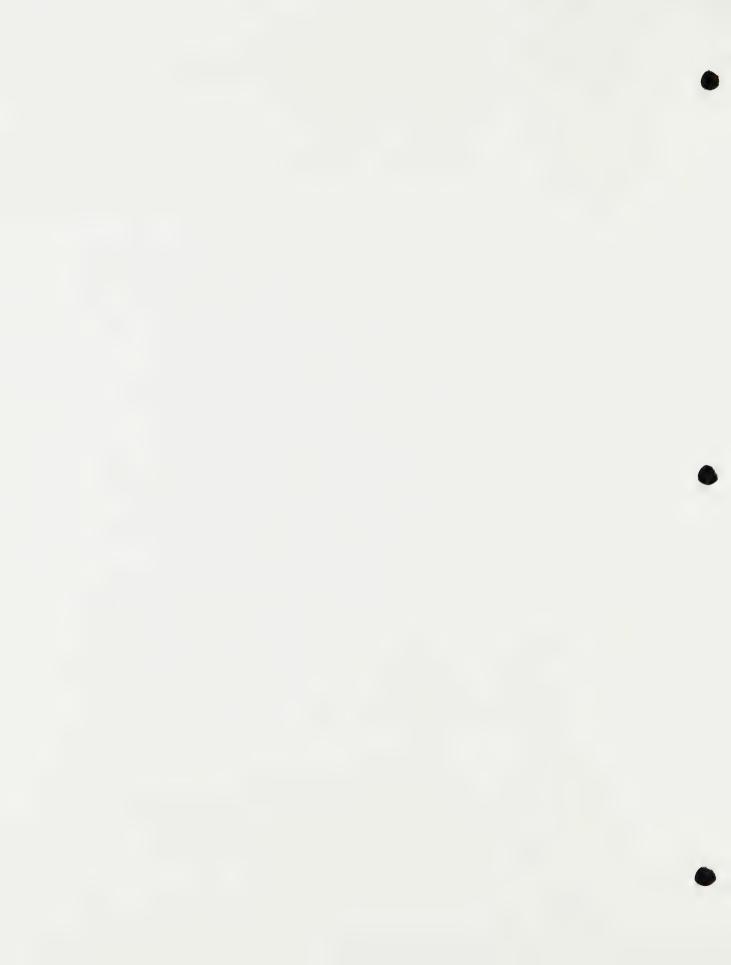
- 1) limiting increases in the membership in the House of Commons to levels as moderate as are fair and practical;
- ensuring that no province or territory will lose seats in the House of Commons through redistribution:



and enabling provinces with growing populations to get additional seats, but in a way that reflects the need to maintain the House of Commons at something close to its present size.

Under the proposed formula one seat would first be allocated to the Yukon and two to the North West Territories. The remaining seats would then be distributed among the ten provinces by use of a quotient obtained by dividing the total population of those provinces by 279. The number of seats for each province would be calculated by dividing the population of the province by that quotient. However, those calculations would be subject to two qualifications. First, no province would ever lose seats as a consequence of redistribution. Second, where the result of the calculation would give a province more seats than it had in the last redistribution, the province would be assigned one-half of the increase to which the calculations would entitle it.

Under the proposed formula the House would increase to 288 members after the 1981 census, as compared with 310 under the existing formula. By 1991

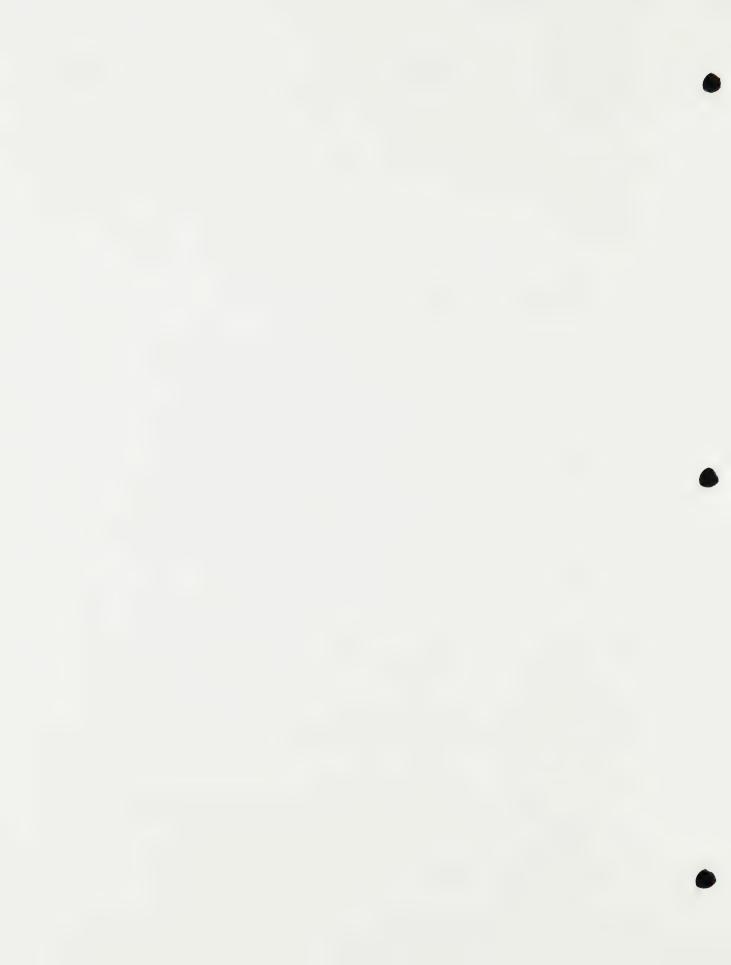


there would be 292 members, as opposed to 343, and in the year 2001, only 296 members instead of 369. Table B sets out detailed province-by-province projections with respect to the operation of the proposed new formula.

B) <u>Electoral Boundaries Readjustment Act</u>

Under the terms of the Electoral Boundaries
Readjustment Act as presently worded, Electoral
Boundaries Commissions are required by law to ensure
that the population of each electoral district is
within 25% more or less of the "provincial quotient",
i.e., the number obtained by dividing the population of
the province by the total number of seats allocated to
it. The proposal in the Draft Hill would give
Commissions more flexibility and allow them to depart
from the 25% rule where, in extraordinary situations,
it is necessary to maintain a manageable geographic
size for districts or to respect the community of
interest or community of identity of a district.

The Draft Bill also contains proposals which would alter the method by which the reports of Commissions are handled in the House of Commons. At

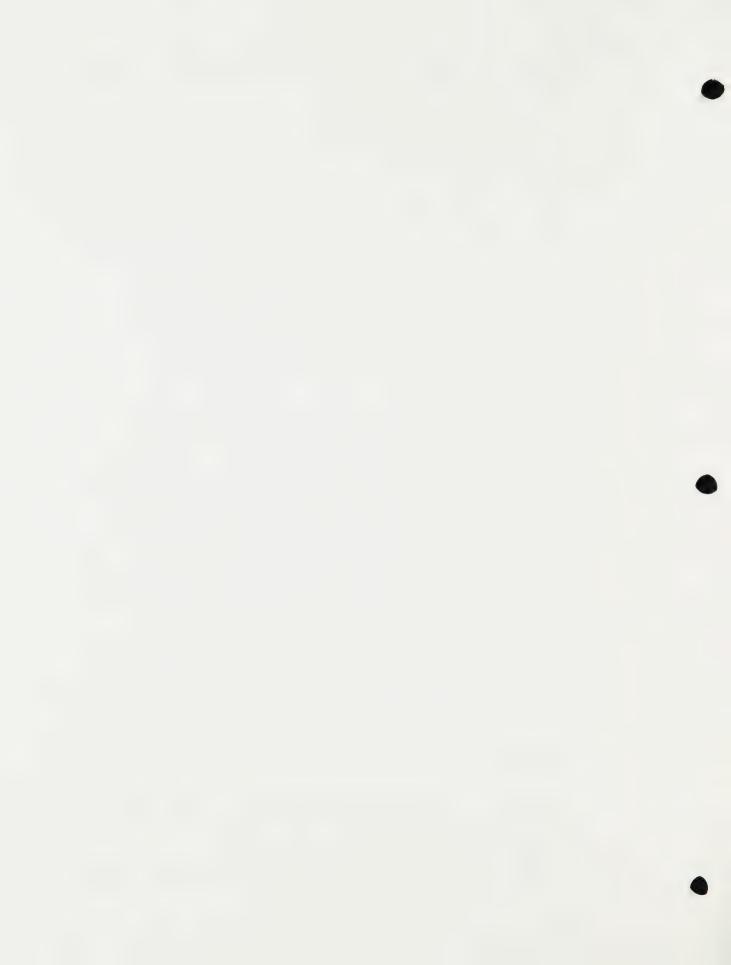


present, objections to Commission Reports are dealt with on the floor of the House. This is an inefficient use of scarce House time and carries with it a tendency to minimize the extent to which objections can be given full and fair consideration. The Draft Bill proposes that Reports be referred directly to Committee for consideration. This would result in economies with respect to House time and enhance opportunities for Members to have their objections given serious consideration.

The Draft Bill also proposes a means of ensuring that Commission Reports are dealt with expeditiously. In addition, it suggests cost-saving changes in the way in which Commissions are required to advertise their hearings. By making electoral maps available free of charge from the Commission, and limiting the amount of material published in newspapers, a major saving to the taxpayer can be realized.

Agenda

The proposals contained in the Draft Bill represent a significant improvement in the redistribution process. The proposals are realistic,



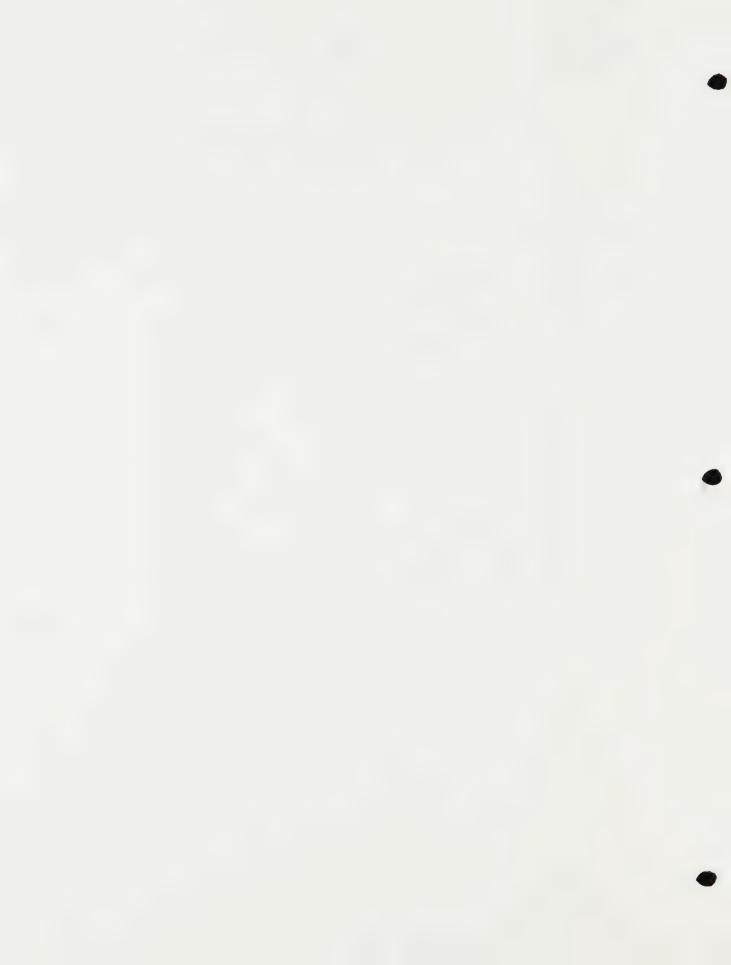
cost effective and ensure that the Canadian public will continue to be well served by the House of Commons. It is hoped that, following a review of these proposals by the Standing Committee on Privileges and Elections, Parliament will be able to proceed expeditiously with needed reforms.



TABLE A

COSTS OF INCREASING HOUSE OF COMMONS MEMBERSHIP FROM 282 TO 310

Direct costs		(Dollars)	Avg. Cost Per member
a.	Basic indemnity	\$1,490,000	\$ 53,200
b.	Expense allowance	496,000	17,700
С.	Retirement benefits (matching contribution by the House)	165,000	5,900
d.	<pre>Members' Principal Budget (staff allowances)</pre>	2,638,000	94,200
е.	Constituency office allowances	354,000	12,650
f.	Travel and removal	726,000	25,900
g.	Telephones	781,000	27,900
h.	Printing (including householders)	395,000	14,100
i.	Furniture, equipment, office supplies, etc.	638,000	22,800
j.	Research budgets/ Leaders' offices	321,000	11,400
k.	Employee benefits (Members' staff)	338,000	12,100
l.	Employer's share of medical insurance plans	74,000	2,650
m.	Mail franking privileges	573,000	20,500
	TOTAL	8,989,000	321,000

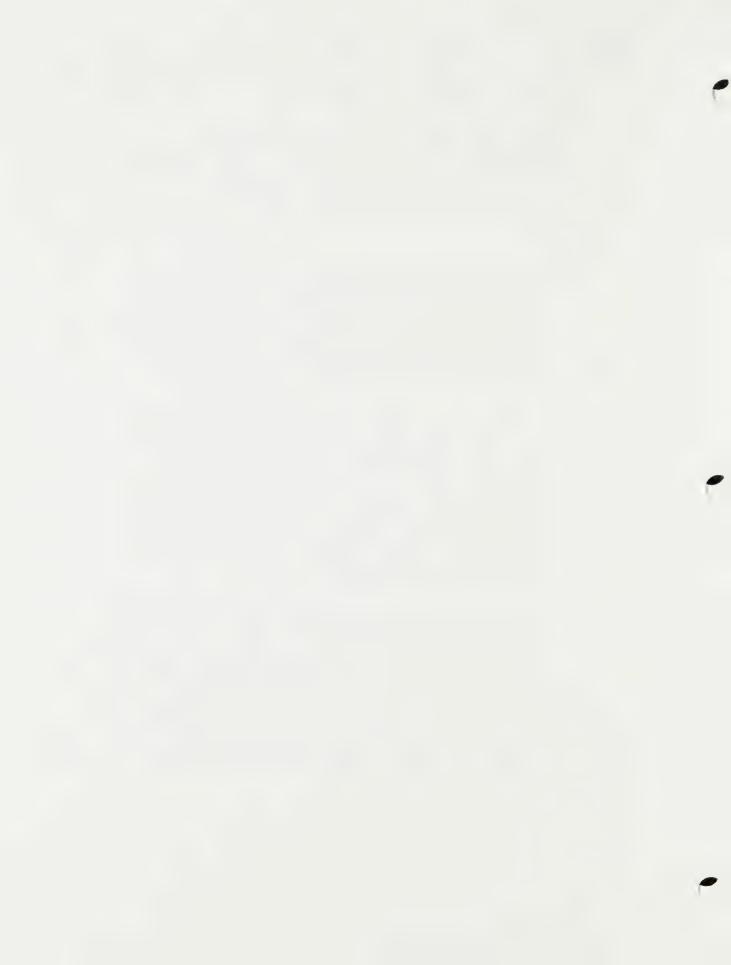


APPENDIX "A"

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1The House of Commons of Canada	17
BBILL C-	20
An Act to amend the Constitution Act, 1867 and the Electoral Boundaries Readjustment Act and to provide for certain matters in relation to the 1981 decennial census	24
Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:	27
2short title	30
Short title	33
1. This Act may be cited as the /Representation Act, 1985/.	3 7
4PART I	41
5CONSTITUTION ACT, 1867	44
2. Subsection 51(1) of the /Constitution Act, 1867/, as enacted by the /Constitution Act, 1974/, is repealed and the following substituted therefor:	48
Readjustment of representation in Commons	51 52 53
"51. (1) The number of members of the House of Commons and the representation of the provinces therein shall, on the coming into	57



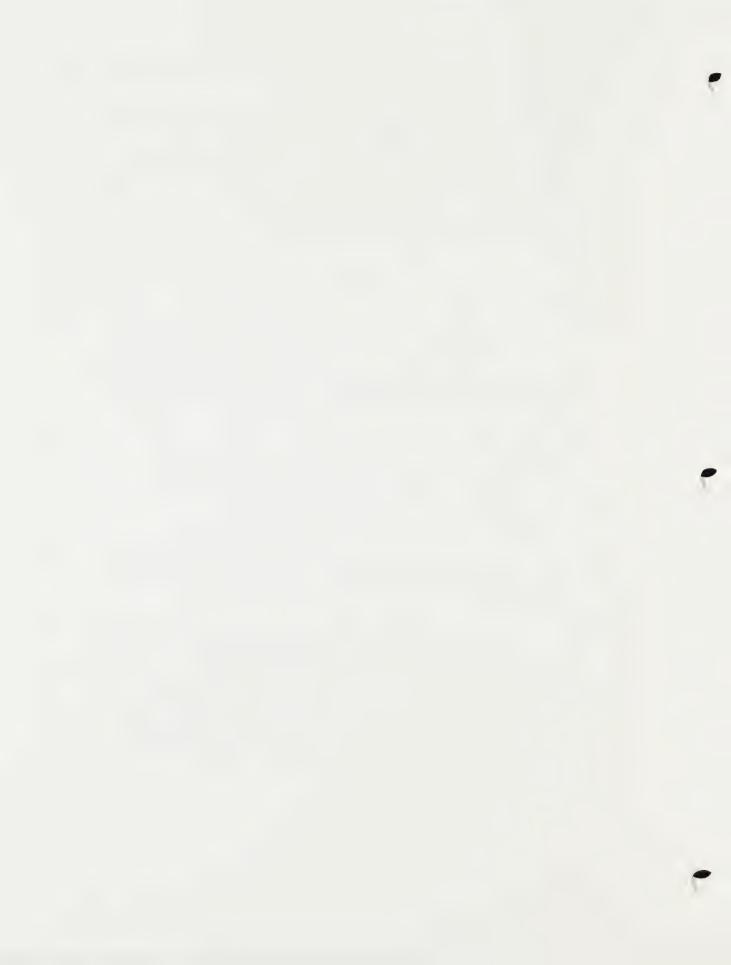
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force of this subsection and thereafter on the completion of each decennial census be readjusted by such authority, in such manner, and from such time as the Parliament of Canada from time to time provides, subject and according to the following rules:	58
Rules	61
1There shall be assigned to each of the provinces a number of members equal to the number obtained by dividing the total population of the provinces by two hundred and	65
seventy-nine and by dividing the population of	66
each province by the quotient so obtained, disregarding the remainder, if any, after the said process of division.	67
2. If the total number of members that would be assigned to a province by the application of rule 1 is less than the total number assigned to that province by the last preceding readjustment of the representation of that	70
province made in accordance with this Act, there shall be added to the number of members so assigned such number of members as will result in the province having the same number of members as were assigned by the last	71
preceding readjustment.	72
3. If the total number of members that would be assigned to any province by the application of rule 1 is greater than the total number assigned to that province by the last preceding	7 5
readjustment of the representation of that province made in accordance with this Act, the number of additional members that would be so assigned shall, unless the number of additional members is one, be reduced so that the actual	7 6
number assigned is equal to one-half of the	77
additional number that would be so assigned	78



P. E. J	
plus, where the number of additional members that would be so assigned is an odd number in excess of one, one other member.	
Short title and citation	81 82 83
3. This Part may be cited as the /Constitution Act, 1985,/ and the /Constitution Acts 1867 to 1982/ and this Part may be cited together as the /Constitution Acts 1867 to 1985/.	87
4PART II	90
SELECTORAL BOUNDARIES READJUSTMENT FOR 1981 CENSUS	93
Transitional	96
4. (1) Notwithstanding anything that was done under the /Electoral Boundaries Readjustment Act/prior to the coming into force of this Act in respect of the decennial census of Canada taken in	100
the year 1981, on the coming into force of this Act, the /Electoral Boundaries Readjustment Act/, as amended by Part III of this Act, shall be applied as if subsection 51(1) of the	101
/Constitution Act, 1867/, as amended by Part I of this Act, had been in force immediately following	102
that decennial census and, except in respect of the Northwest Territories, electoral boundaries commissions shall be established and carry out	103
their duties under the /Electoral Boundaries Readjustment Act/ in all respects as though nothing had been done under that Act and no time had elapsed following that census.	104
Presumption	107
(2) Notwithstanding subsection (1), the certified return of the Chief Statistician of	111



P. E. J	
Canada referred to in section 11 of the /Electoral Boundaries Readjustment Act/ and sent pursuant to that Act to the persons referred to in that section following the decennial census of Canada taken in 1981 shall, for the purposes of applying that Act in accordance with subsection (1) of this section, be deemed to have been sent to those persons and to have been received by them on the	112
day on which this Act comes into force.	
4PART III	116
R.S., c. E-2	119
SELECTORAL BOUNDARIES READJUSTMENT ACT	122
5. The definition "report" in subsection 2(1) of the /Electoral Boundaries Readjustment Act/ is repealed and the following substituted therefor:	126
"report"	129 130
"report" _means the report prepared by a commission under section 18;_"	134
1978-79, c. 13, s. 26(1)	137
6. Paragraphs 13(1)(/a/) to (/c/) of the said Act are repealed and the following substituted therefor:	141
"(/a/) the division of the province into electoral districts and the description of the boundaries thereof shall proceed on the basis that the population of each electoral district	144
in the province as a result thereof shall as close as reasonably possible correspond to the electoral quota for the province, that is to say, the quotient obtained by dividing the population of the province as ascertained by	145



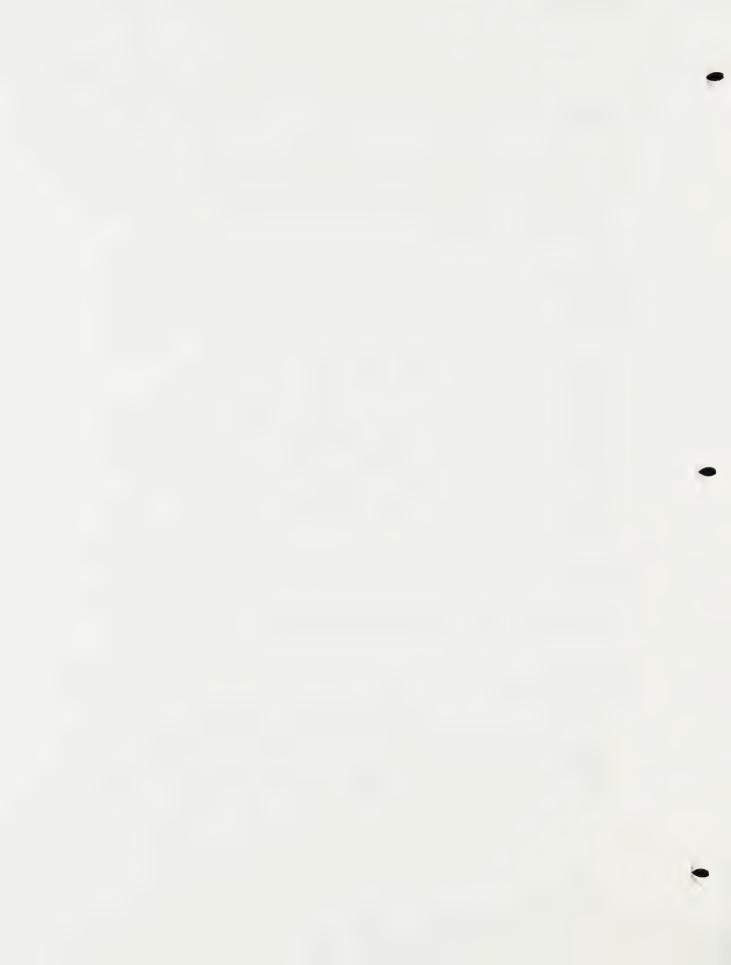
P. E. J	
the census by the number of members of the House of Commons to be assigned to the province as calculated by the Chief Electoral Officer under section 12; and	146
(/b/) the commission may depart from the application of rule (/a/) in any case where _the commission considers it necessary or desireable to depart therefrom	149
(i) in order to respect the community of interest or community of identity in or the historical pattern of an electoral district in the province, or	152
(ii) in order to maintain a manageable geographic size for districts in sparsely populated, rural or northern regions of the province,	155
but in departing from the application of rule (/a/), the commission shall make every effort to ensure that, except in circumstances viewed by the commission as being extraordinary, the	158
population of each electoral district in the province remains within twenty—five per cent more or twenty—five per cent less of the electoral quota for the province	159
7. Subsections 17(2) to (4) of the said Act are repealed and the following substituted therefor:	163
Idem	166
"-(1.1) For greater certainty, any member of Parliament may make representations at any sittings held by a commission for the hearing of representations from interested persons	170
Notice to be	17 3



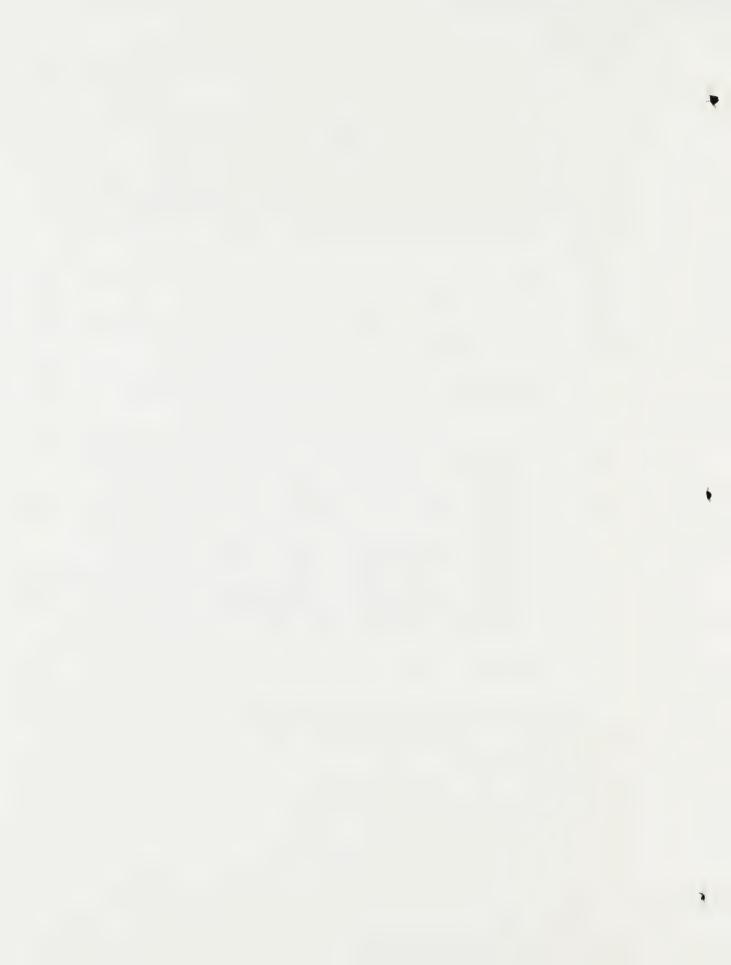
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P. E. J	
given by	174
public	175
advertisement	176
(2) Notice of the time and place fixed by the commission for any sittings to be held by it for the hearing of representations from interested persons shall be given by advertisement	180
published in the /Canada Gazette/ and in at least one newspaper of general circulation in the province at least _sixty_ days before the commencement of the sittings.	181
Advertisement	184
to include	185
certain	186
information	187
(3) There shall be included in the advertisement referred to in subsection (2), a map or drawing prepared by the commission	191
showing the proposed division of the province into electoral districts and indicating the population and name proposed to be given to each district, which map or drawing shall be in such form and contain such detail as, in the opinion	192
of the commission, will be reasonably sufficient for the purpose for which the sittings of the commission are to be held and	193
(/a/) in the case of the advertisement published in the /Canada Gazette/, a schedule shall be included setting forth a description of the proposed boundaries of each electoral	196
district in the province, indicating the population and name proposed to be given to each such district; and	197
(/b/) in the case of the advertisement published in the newspaper, a notice shall be included indicating that a copy of the	200



P. E. J	
schedule referred to in paragraph (/a/) may be obtained free of charge on request by any person from the commission at its address set out in the advertisement or from the Chief Electoral Officer at his address set out in the advertisement.	201
Notice of	204
representation	205
to be given	206
before	207
sittings	208
(4) No representation shall be heard by a commission at any sittings held by it for the hearing of representations from interested persons unless notice in writing is given to the	212
secretary of the commission within _fifty-three_	213
days from the date of the publication of thelast advertisementunder subsection (2), stating the name and address of the person by whom the representation is sought to be made and indicating concisely the nature of the representation and of the interest ofthe	214
person. **	
1978-79, c. 13,	218
s. 24	219
8. Subsection 18(1) of the said Act is repealed and the following substituted therefor:	223
Time within	226
which report	227
to be completed	228
"18. (1) Each commission shall, not later than one year after the receipt by the chairman from the Chief Electoral Officer of the copy of the return referred to in section 11, complete	232
a report for presentation to the House of	234



P. E. J	
Commons setting forth the considerations and proposals of the commission concerning the division of the province into electoral	
districts, the descriptions and boundaries of the districts and the population and name to be given to each district and on the completion of the report shall cause two certified copies thereof to be transmitted to the Chief Electoral Officer. **	235
1978-79, c. 13, s. 26(1)	238 239
9. Subsection 19(1) of the said Act is repealed and the following substituted therefor:	243
Report to be referred to committee	246 247 248
"19. (1) On receiving the certified copies referred to in section 18 of the report of any commission, the Chief Electoral Officer shall transmit one of the copies thereof to the	2 52
Speaker who shall, subject to subsection (2), cause such copy to be laid before the House of Commons _and referred to such committee of the House of Commons as it may establish for the purposes of dealing with electoral matters_	253 254
forthwith upon its receipt by him if Parliament is then sitting or, if Parliament is not then sitting, on any of the first five days next thereafter that Parliament is sitting.	255 256
1978-79, c. 13, s. 26(1)	259 260
10. Section 20 of the said Act is repealed and the following substituted therefor:	264
Procedure	267

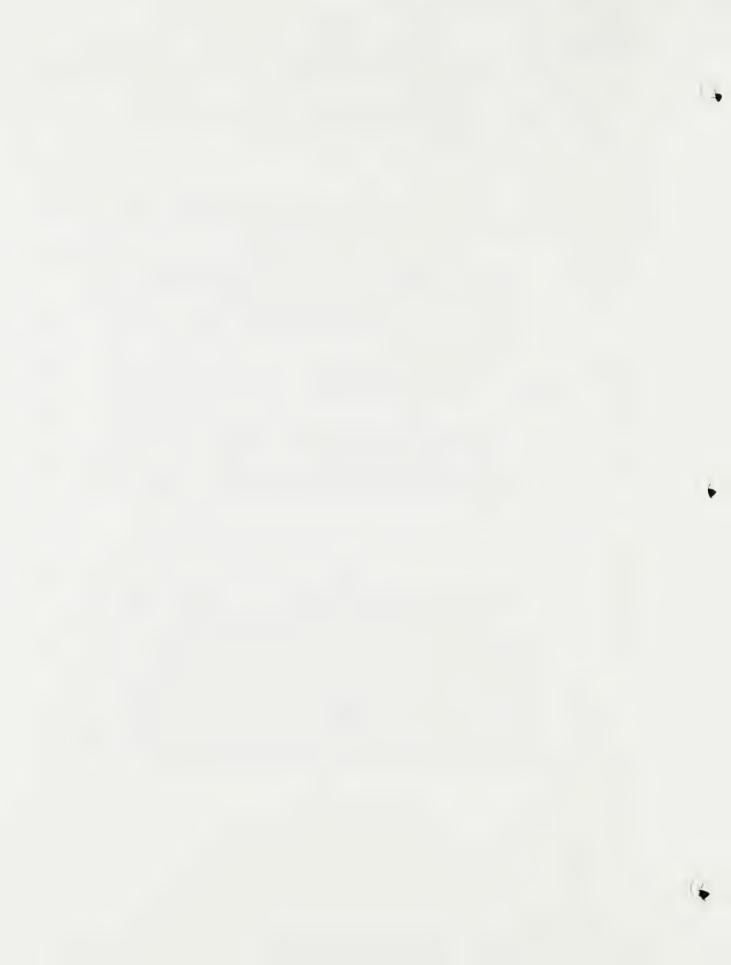


P. E. J	
where objection filed with Standing Committee	268 269 270 271 272 273
""20. (1) If, within a period of thirty days from the day the copy of the report of any commission for a province is _referred to the committee referred to in subsection 19(1)_ or	277
published pursuant to _subsection 19(2), _ an objection in writing in the form of a motion for consideration by the _committee_ of the matter of the objection, signed by not less than ten members of the House of Commons is filed with	278 279
the _clerk of the committee_ specifying the provisions of the report objected to and the reasons for the objection, the _committee_ shall, within the first _thirty_ days next after the expiration of that period that _Parliament_	280
is sitting or within such greater period as the House of Commons may allow, take up the motion, consider the matter of the objection and return the report to the Speaker together with a copy of the objection and of the minutes of	282
proceedings of the committee with respect thereto.	284
Reference back for reconsideration by commission	287 288 289 290 291
(2) The Speaker shall forthwith refer back to the Chief Electoral Officer the report returned	295

(2) The Speaker shall forthwith refer back to 295 the Chief Electoral Officer the report returned to him under subsection (1) together with a copy of the objection and of the minutes of proceedings of the committee with respect



P. E. J	
thereto for reconsideration by the commission having regard to the objection **	296
1978-79, c. 13, s. 26	29 9
11. (1) Paragraph 22(1)(/a/) of the said Act is repealed and the following substituted therefor:	304
""(/a/) it is ascertained by the Chief Electoral Officer that no objection has been filed with the _chairman of the committee	307
referred to in subsection 19(1) in the manner and within the time prescribed therefor in section 20, or "	308
(2) Paragraph 22(2)(/b/) of the said Act is repealed and the following substituted therefor:	311
""(/b/) divide each of the provinces into electoral districts, describe the boundaries of each such district and specify the _population_ and name to be given thereto, in accordance with the recommendations contained in the reports referred to in subsection (1)."	314
Transitional	318
12. Sections 19 and 20 of the /Electoral Boundaries Readjustment Act/, as amended by this Act, apply in respect of the electoral boundary	322
readjustment for the Northwest Territories in respect of the decennial census of Canada taken in 1981 notwithstanding anything done under those sections in respect of that census before the coming into force of this Act and, for the	323
purposes of those sections, the copy of the report of the electoral boundaries commission for the Northwest Territories in respect of that consus that was transmitted to and received by	324



the Speaker of the House of Commons under subsection 19(1) of that Act, as it read immediately before the coming into force of this 325 Act, shall forthwith after the coming into force of this Act be referred by the Speaker to the committee referred to in subsection 19(1) of that Act as enacted by this Act.

2coming into force 328

Commencement 331

13. This Act shall come into force on a day to 335 be fixed by proclamation.

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